

SEIDEN LAW GROUP LLP 469 SEVENTH AVENUE, STE 502 NEW YORK, NY 10018

AFFIDAVIT OF NON SERVICE

Client's File No.:

Case Number: 1:20-cv-03746-LJL

Date Filed:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CONVERGEN ENERGY LLC, et al.,

vs

STEVEN J. BROOKS, et al.,

Plaintiff

Defendant

STATE OF CONNECTICUT COUNTY OF HARTFORD SS.:

The undersigned being duly sworn deposes and says: that deponent is not a party to this action, is over 18 years of age and resides in the State of Connecticut

That on the following date: June 30, 2020, at the following time: 1:40 PM,

at 75 INWOOD ROAD, DARIEN, CT 06820 deponent attempted service of

Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action, Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13) With Schedule A and Attachments

☐ Papers so served were properly endorsed with the Case Number.

Upon: ELMERINA BROOKS

☐ Individual By delivering a true copy thereof to said recipient personally; deponent knew the person so served to be the individual described therein.☐ Responsible Person By delivering to and leaving with Relationship a true copy thereof, a person of suitable age and discretion. Said premises being the defendant / respondent's [] dwelling place [] place of business/employment [] last known address within the State. [] usual place of abode☐ Mail A copy thereof was deposited in a postpaid, properly addressed envelope, marked "Personal and Confidential" in a depository maintained by the U. S. P. S. and mailed to the above address on☐ Corporation By delivering to and leaving with said individual to be LLC / LLP who specifically stated he/she was authorized to accept service on behalf of the Corporation/Government Agency/Entity.☐ Affixing To Door By affixing a true copy thereof to the door, being the defendant/respondent's [] dwelling place [] place of business/employment [] last known address within the State. [] usual place of abode☐ Previous Attempts Deponent previously attempted to serve the above named defendant/respondent on:
1) at 3) at 5) at
2) at 4) at 6) at

Description of Recipient Sex: Color of skin: Color of hair: Age: Height: Weight: Other Features:

☐ WITNESS FEES Subpoena Fee Tendered in the amount of☐ MILITARY SERVICE I asked the person spoken to whether defendant was in active military service of the United States or the State of New York in any capacity whatever and received a negative reply. The source of my information and the grounds of my belief are the conversations and observations above narrated.☒ Other I attempted service on 06/30/20 @ 1:40 p.m. The location is a gray colonial house with stone front and black shutters. The light were on but there was no answer at the door. I called telephone number, 203-524-5779. The Subject answered and I told her that I had a subpoena for her and if she could open the door. She put her husband on the phone who stated that they are at high risk for COVID and he wants it emailed to them. He refused to let his wife meet with me and stated that he will call his attorney to arrange service via email.

Sworn to before me on

7.2.2020

Amy Chantry

NOTARY PUBLIC

AMY J. CHANTRY

NOTARY PUBLIC

MY COMMISSION EXPIRES 3/31/2023

PROCESS SERVER - PRINT NAME BELOW SIGNATURE
Eric Rubin

PROCESS SERVER LICENSE #

Work Order # 1444981